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on 23 July 2003

By: Malinda Wajit

Attorney Docket No.:

161 Reg for Refund
PATENT 02-28-23
7-23-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WANG *et al.*

Application No.: 09/870,353

Filed: May 30, 2001

For: IMPROVED NUCLEIC ACID
MODIFYING ENZYMES

Examiner: Richard Hutson

Technology Center/Art Unit: 1652

REQUEST FOR REIMBURSEMENT
UNDER 37 CFR §1.28

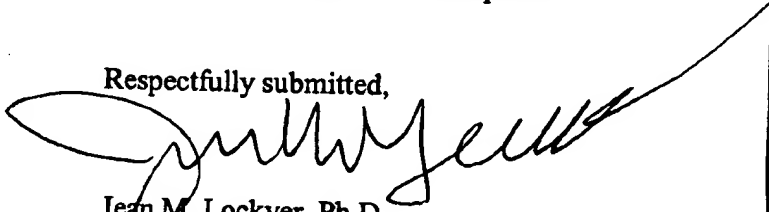
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Sir:

Applicants request reimbursement, pursuant to 37 CFR §1.28, of \$96 representing overpayment of the extra claims fee paid as a small entity at the time of filing of the Amendment and Response to Restriction Requirement dated July 10, 2003. (Calculations for total claims and independent claims should have been $38-20=18$ and $4-3=1$.)

Please credit this overpayment to deposit account 20-1430. This Request is submitted in duplicate.

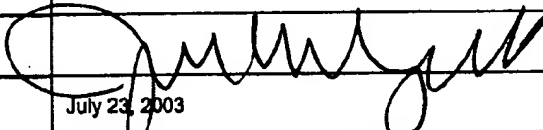
Respectfully submitted,

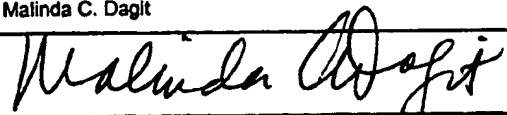

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SF 215609 v1/10215609 v1

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/870,353
		Filing Date	May 30, 2001
		First Named Inventor	Wang, Yan
		Art Unit	1652
		Examiner Name	Richard Hutson
Total Number of Pages in This Submission	3	Attorney Docket Number	020130-000111US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Jean M. Lockyer, Ph.D. Reg. No. 44,879	
Signature		
Date	July 23, 2003	

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed name	Malinda C. Dagit		
Signature		Date	23 July 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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